

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

v.

[1] WILLIAM KERY,
[2] EFRAIN POLANCO-DE LA CRUZ,
[3] NELFI CASTRO-ALBERTO,
Defendants.

INDICTMENT

CRIMINAL NO. 25-29 (PAD)

VIOLATIONS:

18 U.S.C. § 2237 (a)(1),
8 U.S.C. § 1326 (a) & (b)(1)
8 U.S.C. § 1325(a),
(FOUR COUNTS)

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THE GRAND JURY CHARGES:

COUNT ONE

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Failure to Heave

(Title 18 *United States Code*, Section 2237(a)(1))

On or about January 13, 2025, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] WILLIAM KERY, &
[2] EFRAIN POLANCO-DE LA CRUZ,
[3] NELFI CASTRO-ALBERTO,

the defendants herein, aiding and abetting each other, while being masters, operators, or persons in charge of a vessel subject to the jurisdiction of the United States, did knowingly and unlawfully fail to obey an order by an authorized Federal Law enforcement officer to heave that vessel. All in violation of Title 18 *United States Code*, Section 2237(a)(1).

COUNT TWO

Re-entry of Removed Alien

(Title 8, *United States Code*, Section 1326(a) & (b)(1))

On or about January 13, 2025, in the District of Puerto Rico and within the jurisdiction of this Court, the defendant,

[1] WILLIAM KERY,

who is an alien, as the term is defined in Title 8, *United States Code*, Section 1101(a)(3), and who has been previously removed from the United States after a felony conviction, attempted to enter the United States, without obtaining, prior to his re-embarkation at a place outside the United States, the express consent of the Secretary of Homeland Security to reapply for admission into the United States. All in violation of Title 8, *United States Code*, Sections 1326(a) and (b)(1).

COUNT THREE

Improper Entry by Alien

(Title 8, *United States Code*, Section 1325(a))

On or about January 13, 2025, in the District of Puerto Rico and within the jurisdiction of this Court, the defendant,

[2] EFRAIN POLANCO-DE LA CRUZ,

who is an alien, as the term is defined in Title 8, *United States Code*, Section 1101(a)(3), did knowingly and intentionally attempt to enter the United States at a time and place other than as designated by immigration officers. All in violation of Title 8, *United States Code*, Sections 1325(a).

COUNT FOUR
Improper Entry by Alien
(Title 8, *United States Code*, Section 1325(a))

On or about January 13, 2025, in the District of Puerto Rico and within the jurisdiction of this Court, the defendant,

[3] NELFI CASTRO-ALBERTO,

who is an alien, as the term is defined in Title 8, *United States Code*, Section 1101(a)(3), did knowingly and intentionally attempt to enter the United States at a time and place other than as designated by immigration officers. All in violation of Title 8, *United States Code*, Sections 1325(a).

W. STEPHEN MULDROW
United States Attorney

Jenifer Y. Hernandez-Vega
Assistant United States Attorney
Chief, Child Exploitation, Immigration Unit


Helena B. Daniel
Special Assistant United States Attorney

TRUE BILL

Foreperson
Dated: January 23, 2025